

REMARKS/ARGUMENTS

With the addition of claims 6-8, claims 1-8 are now pending in the present application. Claim 1 and Figure 1 have been amended.

The Office Action objects to the specification as not containing an abstract. According to Applicants records, an abstract was submitted with the application as page 8 of the specification. The abstract is resubmitted in the appendix herein.

Claims 1-5 stand rejected under 35 U.S.C. § 102(b). It is respectfully submitted that all of the presently pending claims are allowable for at least the following reasons.

35 U.S.C. § 102(b)

Claims 1-5 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,899,949 to Kincaid et al. (the Kincaid reference). Applicants respectfully submit that claims 1-5 are in condition for allowance, for at least the following reasons.

To reject a claim under 35 U.S.C. § 102, the Office must demonstrate that **each and every claim limitation is identically disclosed** in a single prior art reference. (See Scripps Clinic & Research Foundation v. Genentech, Inc., 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131. Applicants respectfully submit that the Kincaid reference does not disclose each and every element of the claimed invention.

Applicants respectfully submit that the Kincaid reference does not discuss, or even suggest, a processor connected to the firing circuit control for controlling the restraining devices and a safety IC connected to the firing circuit control for releasing the at least one igniter in response to a crash. The Examiner cites no supporting disclosure in the Kincaid reference for a processor (Office Action; page 3, ll. 5-7), and the Examiner apparently relies on the feature of the safety IC as being “inherent in the system logic.” (Office Action; page 3, ll. 8-10). The Office Action cites Figures 4-6 and 9 in support of the inherency allegation. These Figures apparently relate to states (Kincaid; Figure 4), address fields (Kincaid; Figures 5 and 6), and a block diagram of a circuit (Kincaid; Figure 9). None of these Figures support a safety IC, distinct from a processor, connected to a firing circuit. The Kincaid reference apparently describes a distributed supplemental inflatable restraint system that apparently includes a bus system to which different squibs are connected. A central control module

activates the squibs using bus commands in the Kincaid reference. The bus commands exhibit address fields for this purpose. None of the sections of the Kincaid reference cited in the Office Action disclose, or even suggest, a safety IC connected to a firing circuit control for releasing at least one igniter in response to a crash. As explained above, in order to establish a rejection under Section 102, the Patent Office must rely on one reference that identically teaches every single limitation. For an element that is not expressly taught by a reference to be inherently present therein, such an element must necessarily be present in the reference. It is not enough to state that the element may or could be present in the reference. Here, the Examiner has merely asserted that the safety IC is inherent to the Kincaid reference, but has not presented any argument or pointed to any facts explaining why this must be so.

Claims 2-5 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1.

For at least the reasons discussed above, withdrawal of the rejection under 35 U.S.C. §102(b) with respect to claims 1-5 is hereby respectfully requested.

New Claims

New claim 6 depends from claim 1 and is therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 6 recites that the at least one of the safety IC and the processor performs a plausibility check on the sensor data. The Kincaid reference does not discuss, or even suggest this feature. Therefore, it is respectfully submitted that claim 6 is allowable.

New claim 7 depends from claim 1 and is therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 7 recites that the safety IC analyzes the sensor data using a threshold value comparison. The Kincaid reference does not discuss, or even suggest this feature. Therefore, it is respectfully submitted that claim 7 is allowable.

New claim 8 depends from claim 1 and is therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 8 recites that the processor analyzes the sensor data using a firing algorithm. The Kincaid reference does not discuss, or even suggest this feature. Therefore, it is respectfully submitted that claim 8 is allowable.

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CONCLUSION

Applicants respectfully submit that all of the pending claims of the present application are now in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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